

SENATE MOTION

MADAM PRESIDENT:

I move that Engrossed House Bill 1010 be amended to read as follows:

- 1 Page 13, line 39, delete "A" and insert "**Except as provided in**
- 2 **section 1.5 of this chapter, a**".
- 3 Page 14, between lines 16 and 17, begin a new paragraph and insert:
- 4 "SECTION 18. IC 32-24-4-1.5 IS ADDED TO THE INDIANA
- 5 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
- 6 [EFFECTIVE UPON PASSAGE]: **Sec. 1.5. A private utility that:**
- 7 **(1) holds a certificate of territorial authority to provide**
- 8 **sewage disposal service; and**
- 9 **(2) provides or will provide sewage disposal service to less**
- 10 **than five hundred (500) customers;**
- 11 **may not exercise the power of eminent domain to take, acquire,**
- 12 **condemn, or appropriate land, real estate, or any interest in the**
- 13 **land or real estate, including an easement or a right-of-way."**
- 14 Renumber all SECTIONS consecutively.
- (Reference is to EHB 1010 as printed February 17, 2006.)

Senator BOWSER